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SUBJECT: NORTHERN IRELAND FIRST MINISTER ROBINSON AND DEPUTY FIRST
MINISTER MCGUINNESS ON DEVOLUTION OF POLICING AND JUSTICE, NOVEMBER
2, 2009

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Belfast, State.
REASON: 1.4 (b), (d)

¶1. (C/NF) Summary: Despite strong complaints regarding the behavior of the other and their respective parties, Northern Ireland First Minister Peter Robinson and deputy First Minister Martin McGuinness both agree that the financial piece of devolving policing and justice powers is complete, and are now meeting over remaining "community confidence" issues. Chief among these at this point is the contentious issue of Orange Order parades and the altering of current structures to deal with them, with both sides wary of potential electoral consequences in their respective communities. Robinson indicated that Prime Minister Brown has presented a proposal for a way forward on parades, which includes a four-step transitional plan that the parties are currently discussing. End Summary.

¶2. (C/NF) On November 2, CG and Deputy CG met separately with Northern Ireland First Minister Peter Robinson and deputy First Minister Martin McGuinness to review the status of talks on devolution of policing and justice. McGuinness was accompanied by senior adviser Ciaran Quinn while Robinson was joined by political advisers Peter King and Richard Bullick. Notably, Robinson and McGuinness and their senior advisers had met for over an hour to discuss devolution of policing and justice before meeting with the CG/Deputy CG.

deputy FM Martin McGuinness

¶3. (C/NF) deputy First Minister Martin McGuinness began the meeting expressing dismay about HMG "side deals" with First Minister Robinson that McGuinness and Sinn Fein (SF) had not ostensibly been aware of. Specifically, McGuinness objected to HMG's offer to provide a GBP 20 million payment to former part-time RUC police reservists. According to McGuinness this payment is essentially an influx of cash to the Democratic Unionist Party (DUP) election coffers as it will help them get votes in next year's parliamentary elections. He also strongly criticized HMG support for linking the issue of parades to transfer of powers for policing and justice. McGuinness believes inferred UK support for the DUP's position on parades, including abolishing the parades commission, has brought the process to a "near meltdown," emphasizing that abolition of the parades commission would make the SF position untenable. Reiterating that an agreement on devolution must be concluded by Christmas, McGuinness warned that Robinson's insistence on a resolution of the parades issues as a pre-condition for devolution could ensure that it won't happen.

14. (C/NF) McGuinness said that he had requested a telephone call with PM Brown the previous day, and said that he would be willing and able to travel to London to see the Prime Minister on November 3. (Note: McGuinness will be in London in transit to New York for a Friends of Sinn Fein fundraising event on November 4. End Note.) McGuinness said that he was scheduled to meet with UK Secretary of State for Northern Ireland Shaun Woodward later on November 2 to discuss HMG's negotiations with Robinson. McGuinness said he planned to tell Woodward that if there was to be any HMG representation on further parades discussions, he would demand that Irish Foreign Minister Micheal Martin be present as well.

15. (C/NF) McGuinness reported that the DUP had offered that the DUP and Sinn Fein's advisors meet later in the week to discuss the parades issues and a possible future mechanism to manage this issue. McGuinness confirmed that Sinn Fein had agreed to hold such talks.

First Minister Peter Robinson

16. (C/NF) Robinson began the meeting expressing deep frustration with Sinn Fein's behavior during the negotiations on devolution, noting that among other transgressions, SF had committed a process foul when it "leapfrogged" over identification of a future Justice Minister and his responsibilities to focus exclusively on the financial issues. Now that financial questions have been resolved, Sinn Fein still is not dealing with the critical issue of ensuring that the future Justice Minister has in place a decision-making process that gives him adequate autonomy. (Consulate Note: The basic DUP-SF dispute here is how involved the OFM/dFM Executive will be in the Justice Ministry's decision-making. Robinson has insisted that the Justice Minister should act more independently than other ministries, i.e. without required guidance from OFM/dFM. Politically, this would allow the DUP to distance itself from unpopular decisions as well as claim to its base that it ensured SF has no part in controlling the Justice Ministry. McGuinness and SF have insisted that OFM/dFM oversight of the Justice Ministry should be the same as for other ministries. End note.)

17. (C/NF) Robinson confirmed that the likely Justice Minister will be Alliance party leader David Ford and that the DUP and Sinn Fein have met with Ford and other senior Alliance members to discuss the set up of the new ministry. Robinson complained that McGuinness and his representatives had only joined one of three meetings that had been held with Ford. He said that Ford is seeking a cross-party agreement on a policy program for policing and justice and endorsement of a shared future initiative as conditions of his taking the Justice Minister post.

18. (C/NF) Turning to parading, Robinson questioned McGuinness and Sinn Fein's objections to linkage between devolution and parades, emphasizing that Sinn Fein was the first to link the two issues when it refused to agree to the formal issuance of the Ashdown report or moving forward on the parades issue until devolution was completed. While acknowledging that Sinn Fein had political reasons for delaying action on parades, Robinson questioned why the party would now argue that linkage was unacceptable. The DUP had also made it clear to all parties that parading was an essential component of "community confidence" related to devolution. The DUP had in fact been out ahead of the Unionist community in trying to resolve the issue, Robinson claimed, adding that parades have more of an impact on the ground than the broader issue of devolving policing and justice.

19. (C/NF) Robinson indicated that Prime Minister Brown has presented a proposal for a way forward on parades, which includes a four-step transitional plan:

Step 1: Ashdown report and recommendations are formally adopted, published, and accepted by parties and HMG.

Step 2: The parties agree that the parades commission will exist for another twelve months, i.e. through the 2010 marching season.

Step 3: The parties agree to establish a "contentious parades" group with cross-community representation to consider how to manage the approximately five most contentious parades.

Step 4: The group will publish a "process paper" that lays out a framework for dealing with contentious parades.

¶10. (C/NF) Robinson noted that Brown's proposal wouldn't be enough for broad DUP support (i.e. it doesn't immediately abolish the parades commission and will be viewed as giving too much input to nationalists on parades), but added he "may be able to get the party behind it." He also acknowledged that Sinn Fein's rank and file may also object to aspects of the proposal but again could be convinced to accept it. Regarding the Orange Order, Robinson reported that Order's leadership has told him privately that the removal of the parades commission would allow them to change its policy of not meeting with Sinn Fein on parades. He said that some of the local lodges have already begun to do so. Robinson concluded that DUP and Sinn Fein still "require some facilitation to reach agreements on parades." He suggested that PM Brown and/or Woodward will need to convene discussions on this issue. Robinson concluded by insisting that contrary to those that question whether he is seeking to derail or postpone devolution, he has no political interest in not seeing devolution occur at this point. Many in the Unionist community recognize that the Brown package will provide additional financial support for policing and justice programs, Robinson emphasized, and that he would be foolish to abandon it.

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